

August 1, 2013

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Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: **Notice of Ex Parte – CG Docket Nos. 03-123 and 10-51**
Purple Communications, Inc.

Dear Ms. Dortch:

On July 30, 2013, John Goodman, Chief Legal Officer for Purple Communications, Inc. (“Purple”), Rita Beier, Purple’s Senior Director of Operations and Quality, IP Relay and ClearCaptions, and the undersigned, Purple’s outside counsel, spoke by phone with David Schmidt, Andrew Multz, and Diane Mason from the Office of Managing Director. In response to additional questions raised by staff regarding Purple’s request for a temporary waiver of the Commission’s speed-of-answer requirements,¹ we discussed the following points:

We provided information regarding Purple’s methodology for calculating forecasted IP Relay call volume and necessary staffing levels, and discussed recent and forecasted impacts to volume levels from recent exits of other providers from the IP Relay market. We emphasized that Purple has been meeting the Commission’s speed-of-answer requirements thus far, but has been receiving higher than forecasted call volumes since AT&T ceased offering service on June 23, and Sorenson made its announcement on July 8 that it planned to exit the market effective July 31.

We reiterated that Purple is open to a waiver based on call volumes that exceed forecasted IP Relay call volume, where current forecasted volume is used as a baseline and a waiver is provided for call volumes exceeding that forecasted volume.

Purple remains unsure whether the Sorenson exit will result in any significant increase in the volume of phone numbers ported to Purple given that many Sorenson customers likely already have a Purple IP Relay account, which we expect they will simply use more when Sorenson exits. In addition, customers new to Purple may simply register for a new Purple account rather than port their existing number. We explained that Purple is required to process “dial around” calls from users registered by a different provider, and until Sorenson deregisters its remaining numbers, Purple expects an increase in dial-around traffic by users that Purple has not verified because those users

¹ See Purple’s Emergency Petition for Limited Waiver, CG Docket Nos. 10-51 and 03-123 (filed July 11, 2013).

have not gone through Purple's own registration process. Any customer that ultimately either ports to or registers for a new number with Purple will, of course, undergo Purple's same stringent verification process.

Finally, we discussed with staff various interim measures that might mitigate the impact of volume increases on Purple's speed of answer. Specifically, each of Purple's relay services operates with discrete staff, networks and technology, so there is no way to leverage other relay infrastructure to process IP Relay call volume. Nor would it be logistically or financially feasible for Purple to create infrastructure to allow Purple to utilize the former CAs of exiting IP Relay providers.

Respectfully submitted,



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cc:

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